

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0164-16

3
4 INTERVIEW OF: [REDACTED]

5 DATE OF INTERVIEW: 05/05/2016

6
7
8 [TRANSCRIBER'S NOTE: TELEPHONE INTERVIEW WITH POOR AUDIO
9 DUE TO BUZZING SOUND.]

10 --
11 [REDACTED]: Hold on, one second. Go right ahead.

12 INV. WECHTER: Today's date is May 5th, 2016. It is
13 10:49 a.m. This is OCC Investigator Wechter, in a telephone
14 interview in connection with OCC Case number 164-16. I'm
15 speaking by telephone with [REDACTED]. [REDACTED], are you
16 aware this is being recorded?

17 [REDACTED]: Yes, sir.

18 INV. WECHTER: Okay. So, as I explained, the Office of
19 Citizen Complaints is conducting an independent investigation of
20 the shooting of Luis Gongora on April 7th. [Unintelligible] at
21 the Town Hall meeting, held the following week, so you mentioned
22 you spoke, you talked with [inaudible].

23 [REDACTED]: Yeah. Sure.

24 INV. WECHTER: So, I just wanted to ask you, talk to you
25 a little bit about Luis, and maybe tell me about him so I can
26 have a better understanding of what kind of person he was, how
27 he was acting at the time leading up to the shooting.

28 [REDACTED]: Sure. So, I've known Luis, I met him in 2003,

1 while I was working at the [REDACTED] at [REDACTED].
2 You know, I speak fluent Spanish and I moved out here from [REDACTED]
3 to go to college at [REDACTED], and I kind of had a
4 connection with the guys in the back of the house. I would
5 always start talking to them in Spanish, and I was really
6 intrigued that [REDACTED]
7 [REDACTED] which
8 were all Mayan Indians, and so I got very intrigued.

9 So, we bonded, because I was able to speak Spanish, and
10 then we kind of just hit it off. Me and him in the back, we used
11 to get out of work at the same time, and I would take him for
12 beers. We would sit down and talk about work or football, soccer
13 particularly. And then, he'd talk a little about his home life,
14 and I would talk about my current situation with school, and
15 women, and so forth. So, you know, and then I just grew to like
16 him quite a bit, and he was very honest and hospitable. He was
17 just always so friendly with me. So, we just kind of grew a
18 little bond, and I'd come [unintelligible] to talk to about
19 things that I couldn't really do with other people; I never felt
20 that I was being judged in any way. And regardless of his socio-
21 economic status was pretty low, but I was always treated with
22 the utmost respect, and so I just felt so comfortable around
23 him. I could be myself and didn't have to worry about being
24 judged. Right?

25 So, as the years went on, I graduated college in [REDACTED]. So,
26 from [REDACTED], we hung out periodically out at work. Sometimes
27 I would go to his house, but then in '06-'07, I started working
28 on the [REDACTED], and Otis, [unintelligible], which is Otis

1 Street, there is a storage location there behind the bars, and
2 there's a little alley there. So, he lived on Market and
3 Valencia above [REDACTED]. So, then I just started to, because we
4 were friends, then I started to really go to his house quite
5 frequently. I mean, I would go there for lunch, dinner, when I'd
6 get out of work.

7 Typically, I would go, my normal day would, I would get
8 done with work and I would just walk over there, because it was
9 a block away. Right? So, it was a block away, I'd get my beer,
10 I'd go upstairs, and I would hang out for usually two hours,
11 until my girlfriend came and picked me up. And so, that was kind
12 of my relationship with him for a long time, and then I moved
13 from that job down the street to the [REDACTED] on 16th, and
14 the same thing, I would continue to go over there. When I didn't
15 have money, I would go over there to eat, because I know that
16 they always would feed me.

17 So, when I was going through the hard times and stuff, I
18 was always able to go over there; any time. I think there was
19 two brothers that lived in that apartment, him and his [REDACTED],
20 and [REDACTED] that lived in that apartment.
21 And then there was usually a fifth guy, that changed
22 periodically, but they were all from the same region. So, I just
23 grew a bond with these guys, and we would always watch football.

24 Luis was very hard-working. I mean, he would get up in the
25 morning, he always went to his job. He was having, I don't know
26 which percentage of his income he sent home, but it was great.
27 He only held onto what he needed, because he had three kids and
28 a wife back in Mexico, and he was always on the phone with her

1 in the evenings. Like a very honest, hard-working, and just
2 always so hospitable, and he was always happy, regardless of his
3 situation. I never heard him complain about how poor, I need
4 this, or more material things. I never had that feeling. He was
5 satisfied with his socio-economic status.

6 And so, we just grew more and more of a bond as the years
7 went on. And then, I had moved down the street from 16th and
8 Mission. I moved over to another job on 17th and Mission called
9 [Spanish]. At that time, the same thing. I was going over to his
10 house quite frequently. I would assist them—you know, I was also
11 the white guy that can assist them with certain problems,
12 whether it be taxes, or whether it be going to the hospital if
13 you were sick. Anything that really needed, if they needed
14 assistance somehow, I was always the guy to call for the
15 apartment, and I would always help them out. I remember he had
16 ruptured his appendix. I took him to General Hospital, sat there
17 all night until the next morning when they took him, they took
18 him into the hospital, and he was there for five days. That was
19 probably the biggest incident where, as far as like hospital
20 [unintelligible].

21 But we were drinking buddies and kind of like my pub, like
22 that's where I went every day, and that lasted for '07 until at
23 least 2012. Then in 2012, he started hanging out with this girl,
24 he started sleeping around. She started coming around too, the
25 girl came around, so she would pop in and out. She was, I mean I
26 didn't care for her, you know? I would have to say, just to let
27 you know, was a tweaker, would always tend to have
28 methamphetamine on her. And he started to hang out with her for

1 about, I guess, until...well, he had lost his job at that time,
2 before he met her, and he was trying to get work, but he was
3 struggling, and then he was able to find work over on
4 Fisherman's Wharf, but then I think he lost that job as well.
5 Then it looked like the [REDACTED] were
6 kind of carrying his weight for quite some time.

7 There was a lot of activity on the floor that he lived on,
8 and so, I think the building manager, the owners were not
9 satisfied, and were always trying to get, kind of push them out,
10 not by legal means. I know that his neighbor was awarded, I
11 don't know, about a \$25,000 settlement for what went down. But I
12 know that they were evicted at one point, and we had become
13 estranged at that point, because I had moved out of the
14 neighborhood. I had recently met a girl and [REDACTED] so
15 we had started to drift apart, and he was kind of hanging out
16 with this girl that I didn't really care for, and I know his
17 [REDACTED] did as well, but that's what happened.

18 Then, when he ended up on the street, him and [REDACTED],
19 and then, I noticed he was with that girl, because he popped on
20 over at my house, you know, asking for a little money and some
21 help, and it had been like a few months I hadn't seen him. So,
22 between 2012 and 2016, before he passed away...

23 INV. WECHTER: I'm sorry, 2012 and when?

24 [REDACTED]: 2012. I guess I would have to say the beginning
25 of 2012, as our relationship started to kind of...I was hanging
26 out with more of the other brothers than with him and his
27 [REDACTED]. I was hanging out with the [REDACTED] I
28 still went over there, but he was kind of hanging out with this

1 girl a little much, and so I wasn't hanging out with him as
2 well. He was around, but we weren't as close, because he started
3 to drift away, spending time with her and another kid down the
4 hall. You know, and things, I'm not really sure how it all went
5 down, their eviction. I don't know, it didn't seem like it was
6 by legal means. Like, some of the guys ended up staying in the
7 building, where him and [REDACTED] were kind of sent on their
8 way packing somehow.

9 I think both of them, at that time, did not have a job, so
10 that, maybe [REDACTED] were fed up with him, and didn't
11 want to carry the weight anymore. But I know that they, I
12 believe they were all from the same town of [REDACTED]. Or if
13 not, the other set of brothers were from the other town, that's
14 not too far away, which is [REDACTED] not very far. It's to the
15 east of [REDACTED] but they're both southeast of Merida, Mexico, in
16 the Yucatan.

17 And then the [REDACTED] one of them went away,
18 and his dream was always to be a bullfighter, and then he ended
19 up dying, I believe, like a year from the day that he left; [REDACTED]

20 [REDACTED] His last name was [REDACTED].

21 INV. WECHTER: What?

22 [REDACTED]:

23 [REDACTED], [REDACTED] was the mother's last name, so the father's last
24 name was [REDACTED] or the other way around; the father's last name
25 then mother's.

26 INV. WECHTER: Are these Luis' [REDACTED]?

27 [REDACTED]: No. Luis' brothers are [REDACTED],
28 [REDACTED], is the...uh-huh, and then his older

1 [REDACTED] lives down in [REDACTED]. His last name is [REDACTED]
2 [REDACTED], I don't know his middle name, and he lived down in
3 San Jose, he seems to be the oldest brother. And then he has two
4 cousins, if I'm not mistaken, here, and that's where [REDACTED]
5 [REDACTED], his [REDACTED], lives now, with [REDACTED], [REDACTED]
6 [REDACTED], and then the mother's last name is [REDACTED].
7 INV. WECHTER: So, is it [REDACTED]?
8 [REDACTED]: Yeah, [REDACTED], so it's [REDACTED] [unintelligible], the
9 mother's last name, mother's last name. So, it's [REDACTED], and
10 then the mother's last name is [REDACTED].
11 INV. WECHTER: Okay.
12 [REDACTED]: I always forget it's father's and then
13 mother's, mother's then father's, but those are the two last
14 names. [REDACTED], and then there's another
15 brother and cousin, his name is [REDACTED]. I don't know
16 his middle name. Both [REDACTED] they both, he works at,
17 and [REDACTED] the brother, they work at the corner of [REDACTED] and
18 [REDACTED], I believe, what they call the crepe.
19 INV. WECHTER: The crepe place?
20 [REDACTED]: It's right across from the [REDACTED]. It's
21 called, it's not a crepe place. Okay, so you got it. So, the
22 crepe place, all right, it's the corner, right in front of that.
23 It's goddamn it man, what's the name of that place? It's right
24 on the corner, right across... So, the crepe place, [REDACTED]
25 across the street, and then right in front of the [REDACTED]
26 INV. WECHTER: Is it a bar?
27 [REDACTED]: It's a bar restaurant, and it has the same name
28 as that famous sports bar on [REDACTED], the same exact name.

1 INV. WECHTER: Uh, the...

2 [REDACTED]: The same exact name, but they're not
3 affiliated.

4 INV. WECHTER: [REDACTED]?

5 [REDACTED]: [REDACTED], bingo, that's it. So, it's the [REDACTED]
6 [REDACTED], I believe.

7 INV. WECHTER: Okay.

8 [REDACTED]: I don't think they're...I believe they do the,
9 you know, janitorial. They probably do all the...yeah, I would
10 think janitorial, I believe that's what's going on there. And
11 then [REDACTED], the other cousin, he manages, if not runs,
12 the [REDACTED] across from the [REDACTED], across from the
13 [REDACTED] on [REDACTED] and [REDACTED]. And [REDACTED], the
14 bullfighter, he worked with [REDACTED] at the [REDACTED]
15 and he ran, the family opened up a place called [REDACTED],
16 on 24th, between [REDACTED] and [REDACTED] [REDACTED] the biggest
17 Philly cheesesteak. He managed that place before he ended up
18 going off to back home to be a bullfighter.

19 Now his [REDACTED] the [REDACTED] that lived there with
20 [REDACTED] was [REDACTED]. [REDACTED] still lives, if I'm
21 not mistaken, in the [REDACTED] building, on the corner
22 there, where [REDACTED] is. I'm almost 100 percent positive he's
23 still living there, and he works...

24 INV. WECHTER: Who?

25 [REDACTED]: That's [REDACTED]. So, the two brothers
26 that lived at the apartment was [REDACTED] and [REDACTED]
27 [REDACTED], and then [REDACTED] and [REDACTED]
28 [REDACTED], [REDACTED]

1 INV. WECHTER: Okay. So, it was [REDACTED]
2 [REDACTED]?
3 [REDACTED]: You know, I think it's just [REDACTED] and
4 the...
5 INV. WECHTER: [REDACTED]?
6 [REDACTED]: [REDACTED].
7 INV. WECHTER: Yeah?
8 [REDACTED]: [REDACTED]
9 INV. WECHTER: Uh-huh.
10 [REDACTED]: And then, of course...
11 INV. WECHTER: But...
12 [REDACTED]: The last name is [REDACTED], and then [REDACTED]. And
13 those are separate of course, you know their mother's, and then
14 their father's and their mother's last name. Now, [REDACTED]
15 still lives in the City. I believe he still lives in that
16 building, and he works at a [REDACTED]. The girl who got the
17 settlement, the neighbor girl who got the settlement, whose
18 husband was really close to Luis as well, who was also killed
19 actually. From my understanding, he was killed on the way to the
20 funeral of [REDACTED] [REDACTED] He was stabbed to
21 death on the way to the funeral; her husband was. I forget his
22 name; his first name was [REDACTED]. I can't remember his last
23 name.
24 INV. WECHTER: Okay. So, when did you last have any
25 contact with Luis?
26 [REDACTED]: Okay. So, I bumped into his [REDACTED] on the
27 [unintelligible] train. I'm like, "Uh, my God. Where the hell is
28 your [REDACTED] Where are you? How are you doing? Where you at?"

1 So, I got a little scoop. He told me was living with his cousin
2 and [REDACTED] was on the street. And I said, "How long has he
3 been on the street, about three years now?" And he's like, yeah.
4 And I was like, "Man, how's he doing?" And I go, "Take me to
5 him, I want to see him. I want to talk to him." So, we went over
6 there and he showed me where he was living, and then I was kind
7 of, I saw him once.

8 INV. WECHTER: When was that?

9 [REDACTED]: That was the second time I had bumped into
10 [REDACTED]. I had bumped into him one time.

11 INV. WECHTER: [Unintelligible]?

12 [REDACTED]: So, the first time that I had known he was on
13 the street and living over there by Shotwell was probably, let
14 me think, it was probably somewhere, it might have been, I'm
15 going to say 2014 was the first time I saw him. I saw him one
16 time over there, and then the last time I saw him, it was two
17 weeks before he was killed; two weeks before he was killed. So,
18 then when I bumped into [REDACTED] I hadn't seen him in a long
19 time, it had been a couple of years, whatever. He went and took
20 me to where he was at, and I started going around. I guess I
21 started talking to him and seeing him on a periodic basis,
22 probably November-December of 2015, because I'm currently going
23 to school on [REDACTED], to [REDACTED],
24 so I would pass by. As I'm getting out of school, I would go
25 down and [dah-dah-dah-dah-dah], Shotwell, and I would just see
26 how he's doing.

27 INV. WECHTER: [Did he talk] when you saw him?

28 [Unintelligible] before he was killed, [what was he saying]?

1 [REDACTED]: You know, he seemed to be comfortable with the
2 current situation. Like I really didn't want to push, you know,
3 "Hey, you've got to get off the street." I mean I feel like he
4 was kind of satisfied with what, not that [unintelligible], no,
5 no. He wasn't upset about his current circumstance. He was okay
6 with living on the street, it seemed like. I wanted to try to
7 maybe change his mind. Right? But I would just go there, and if
8 he had something to say, I would just talk to him real brief. A
9 couple of times, I went to the soup kitchen with him, and I
10 would talk to him about going back home, and he said maybe. But
11 we didn't go into detail about it, it was more body language and
12 more silence than the actual conversation. I was just being with
13 him, you know, trying to be there as an old buddy of his.

14 INV. WECHTER: Did he [unintelligible]?

15 [REDACTED]: About the same, I guess. I didn't really know
16 what to talk to him about, I mean, I wanted to see how he was
17 doing.

18 INV. WECHTER: Anything different from when you had
19 known him?

20 [REDACTED]: Well, after three years on the street and doing
21 what they do on the street, he seemed different. I guess he
22 seemed, [unintelligible] just the hell of it. I guess it changes
23 you a little bit, you know? I felt like, yeah, you know, he was
24 just comfortable with the circumstance, so maybe he didn't have
25 that drive anymore, and tried to change the situation, because
26 his brother would always say he doesn't behave. [SPANISH], he
27 wouldn't straighten out.

28 INV. WECHTER: I'm sorry, you talk a little fast. His

1 brother said he won't straighten out?

2 [REDACTED]: Yeah, he wouldn't behave, meaning, he's on the
3 street at this point. I guess, addiction has grabbed you, do you
4 know what I mean? We never talked about what drugs he was using,
5 it's just kind of known what's on the street. What's on the
6 street, uh, heroin, and we got crystal meth, and we got
7 marijuana, alcohol, maybe some crack cocaine.

8 INV. WECHTER: Did you think he was using any drugs?

9 [REDACTED]: Yeah. Yeah, yeah, he was definitely, that
10 definitely has a play in it, I'm sure.

11 INV. WECHTER: [Unintelligible] what, how do you know?

12 [REDACTED]: Okay. I actually saw him using and [REDACTED]
13 [REDACTED] drinking, [REDACTED]
14 before. And then he was hanging out with that tweaker girl at
15 the end, so I think, might had a play in it. I mean, if you're
16 on the street...

17 INV. WECHTER: Do you think he was using now?

18 [REDACTED]: Yeah, yeah.

19 INV. WECHTER: [Unintelligible]. When did you see him do
20 it?

21 [REDACTED]: When did I see him do it? Probably about a
22 month before he passed away, but I knew that it was something
23 that they were doing on the street.

24 INV. WECHTER: Was he smoking it or injecting it?

25 [REDACTED]: No, he probably just smoked it in a pipe, yeah,
26 smoked it in a pipe. He offered it to me. [REDACTED]

27 INV. WECHTER: Now, what about that girl he was with?
28 You didn't like her.

1 [REDACTED]: Yeah. That only lasted, thank God, it only
2 lasted about a year, because I bumped into her on the street,
3 and she said they were no longer together. She was trying to
4 hook him saying that she was pregnant. So, they ran around for
5 maybe a year, and then had a falling out, I guess, and they went
6 their separate ways, which I was pretty happy about, because she
7 was no good for him. And I don't know if she assisted in his
8 demise from not getting a job, and falling out on the street,
9 and whatnot.

10 INV. WECHTER: Do you [unintelligible]?

11 [REDACTED]: You know, I don't. Yeah, I don't, off the top
12 of my head.

13 INV. WECHTER: Do you know if he was involved with any
14 girl or woman?

15 [REDACTED]: No, that was it. That was like the only fling
16 he had, that there was a girl he was actually hanging out with
17 in all the time I knew him. If anything, he would sleep with a
18 hooker or something. There were hookers that would come into the
19 building on Valencia and Market from time to time, and try to
20 get the Latinos to pay for it. But that was it, I've never seen
21 him with a girl. This was the only girl I ever saw him with,
22 because he had a wife and kids. So, he was pretty
23 [unintelligible] about being faithful for the 15-16 years that
24 he was married. He didn't really, except for this, he had maybe
25 a year with this girl, [REDACTED], and [unintelligible]. And when I
26 saw him on the street, he wasn't even, there was no girls
27 around. He never talked about a girl. So, that was definitely
28 not part of the agenda.

1 INV. WECHTER: How about the six months before he died?
2 How many times did you speak with him?

3 [REDACTED]: Let's see.

4 INV. WECHTER: Just roughly.

5 [REDACTED]: Yeah, at least once or twice a week. I would
6 zip on by and say hi to him. Probably starting a lot more in
7 February when classes start. So, February, March, April, May, up
8 until he died. So, yeah, a couple of times, once a week maybe;
9 sometimes I'd miss a week. I would say at least three times,
10 four times a month that I would kind of just stop by. I would
11 drop off some food. I went to a soup kitchen with him, to eat
12 with [REDACTED] I used to, I always ride around on a bike with my
13 [REDACTED] on it. So, I stopped by with [REDACTED] a couple of times, just
14 sit down and chit-chat for a little bit, see how he was doing.
15 He looked healthy to me, believe it or not. He was healthy, he
16 looked like he was eating fine.

17 His mental state, from taking methamphetamine, didn't seem
18 to be, he wasn't soliloquizing, he wasn't talking to himself,
19 there was no voices or hallucinations. He was never to the point
20 where I thought he'd lost his mind. [REDACTED]

21 [REDACTED] I didn't think he
22 was losing my mind. I would have caught it, I would have caught
23 on real quick. The acts, like the police officers said that he
24 would all of a sudden just start charging at them with a knife,
25 he would have totally to have lost it, and I don't feel that he
26 had lost it.

27 He was very strong-minded. I mean, he had the ability to
28 live on the streets for three years, [REDACTED] it took

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[REDACTED]

[unintelligible].

INV. WECHTER: How much meth was Luis using before he died?

[REDACTED]: That would, I have no idea. And you know, he didn't have much money, so I don't think it was very often.

INV. WECHTER: [Unintelligible] alcohol?

[REDACTED]: You know, I never saw him drinking. And a lot of the times I've noticed that people do [even use meth in front of me], they don't tend to drink much at all; they just don't. And I'm going to be honest with you. Luis' go to, he liked to smoke marijuana. [REDACTED]

[REDACTED]
[REDACTED] So, if meth was in the picture, it wasn't all that much. Because he, I know that he hadn't lost his mind, because I have seen other people lose their minds. In my lifetime, while I have known them, going through the hallucinations and psychotic episodes. [Unintelligible], and Luis wasn't there yet.

INV. WECHTER: Did he seem to have difficulty understanding what was going on around him?

[REDACTED]: No, I don't think so, no. No. No, he was totally aware of what was going on. Yeah, and the night before he was killed, there was a lot of hooting and hollering and

1 | partying going on. I talked to [REDACTED], the attorneys may
2 | have talked to her now. She saw everything from her window. She
3 | said it was a hot summer day, and everybody was whooping and
4 | hollering. So, I'm sure they were coming down from a big night
5 | of festivities, and who knows what they partook in, and it's
6 | ten o'clock in the morning.

7 | According to the article by [REDACTED] from the
8 | Guardian, the first article that she wrote, that he had just
9 | smoked a joint, maybe ten minutes prior to being shot and
10 | killed. So, if anything, a little methamphetamines here and
11 | there; marijuana. I don't think his drinking was there anymore.
12 | If somebody brought it around and give him some, he would drink
13 | it, but that was that, and I just don't think he had lost his
14 | mind. And like I said, his character was never aggressive.
15 | People, when they do methamphetamines, of course they get
16 | [unintelligible], sleep-deprivation, all that stuff comes into
17 | play, and then you slowly lose your mind, and have
18 | hallucinations and everything else.

19 | But I don't think his usage was that great to [deteriorate]
20 | his mind. I do know he did that shit for three years. I've seen
21 | people really lose it in a short, a way shorter amount of time
22 | after using it sort of excessive. So, do I think it was
23 | excessive? No. Do I think it played in maybe keeping him on the
24 | street? Well, maybe, but maybe he was just happy being on the
25 | street, and I think he just didn't have, I think he was just
26 | happy finally, just living on the street.

27 | INV. WECHTER: What about his ability to speak and
28 | understand English?

1 [REDACTED]: Well, that was a problem, I think, right there.
2 INV. WECHTER: [Inaudible]?
3 [REDACTED]: No good, none. There was, and three years on
4 the street, maybe there was a little increase. But I never spoke
5 to him English. I never heard him talk in English to me. So,
6 when those cops got out of the vehicle and were screaming at
7 him, and popping off the bean bag rounds within 20 seconds, do I
8 feel like he understood what was going on? Maybe a little bit,
9 but he was also stoned, so they caught him off-guard. He was hit
10 with two rounds. He popped up.
11 INV. WECHTER: What about [unintelligible]. Did you ever
12 hear people speak English to him?
13 [REDACTED]: Yeah. And did he respond? Not in English, not
14 really no.
15 INV. WECHTER: Do you think he understood?
16 [REDACTED]: No, no. No.
17 INV. WECHTER: [Unintelligible]?
18 [REDACTED]: Very little, I want to say very little, sir.
19 And his education was very minimal. I mean, we're talking about
20 he probably didn't even get through elementary school. You know?
21 So his predominant language was Maya and Spanish. I think his
22 understanding of English was probably a little better from being
23 on the street for three years. Right? But not great by any
24 means, and so, when that situation occurred, I believe he was
25 definitely disoriented and not actually understanding of what
26 was going on. Especially if you're sitting on the ground with no
27 one around you, and a little kind of, you're stoned or whatever,
28 and then all of a sudden, cops show up and start shooting at

1 | you. Well, you know.

2 | INV. WECHTER: Do you know of anyone who observed,
3 | witnessed what happened?

4 | [REDACTED]: Personally?

5 | INV. WECHTER: Yeah.

6 | [REDACTED]: Everybody...I mean other than [REDACTED] and
7 | the family, the two families who were across the street. The two
8 | Anglo families, the [REDACTED] and the neighbor there, they
9 | both, both families saw everything from their windows.

10 | INV. WECHTER: [Unintelligible]?

11 | [REDACTED]: I don't know. Most of the information I have
12 | gotten was through [REDACTED] out at *The Guardian*. She's
13 | found at least six or seven witnesses, who completely discredit
14 | the police officers' accounts. So those, I really... [REDACTED]
15 | and then another family. And then there was another gentleman in
16 | that building. So, there's at least three people in that
17 | building from across the street, who personally [leaving notes].
18 | [REDACTED] personally knew Luis and they saw everything going
19 | down. Again, I want to stress the fact that Luis was never
20 | aggressive, it's out of character, everything the police had
21 | said.

22 | INV. WECHTER: What about any of the homeless people?
23 | You know many of them?

24 | [REDACTED]: Yeah, you know, I unintelligible]. Again, it's
25 | also in [REDACTED]'s article, the first one. There's a picture of
26 | him, last name is [REDACTED], and I spoke with him a few
27 | times. He's also from a Mayan, he's definitely from the same
28 | region. I kind of know him, because I've been going around and

1 would always say hi to him; he was always painting and cleaning
2 the sidewalk. Did I have long conversations? No. But did I know
3 him? As I'm coming around, I saw him always right next to Luis,
4 and they seemed to be like brothers.

5 INV. WECHTER: Now, you mentioned he had smoked a joint
6 [unintelligible]. Where did that information come from?

7 [REDACTED]: According to, that's in the [REDACTED]
8 article in *The Guardian*. She's got the best reporting. I would
9 just have you go on *The Guardian* [unintelligible].

10 INV. WECHTER: [Unintelligible]?

11 [REDACTED]: Yeah. Yeah, yeah, yeah. Yeah, and that's what
12 it said. That he had smoked a joint with the black gentleman,
13 who he called, "hermano", who was also living in the homeless
14 encampment. So, that he had smoked prior to being shot. And like
15 I said, there was a long night of drinking and using, everything
16 the night before. So, he was actually, maybe coming off of that
17 and stoned, and definitely a little disoriented. But aggressive?
18 Not [unintelligible]. Like I said at the Town Hall meeting, he
19 just wasn't like that, you know? So, everything that occurred
20 was completely out of character. He would to have completely
21 lost his mind.

22 INV. WECHTER: [Did he ever seem depressed]?

23 [REDACTED]: He [went to] [REDACTED] that he was lost.
24 Did he look depressed, did you say?

25 INV. WECHTER: No. Did he ever seem depressed?

26 [REDACTED]: You know, I don't, I didn't, I wasn't around
27 him enough to know at the end whether he was or not, and did he
28 stress that to me? I wouldn't know. You would have to talk to

1 his [REDACTED]. Whether his [REDACTED] would come out with that
2 information or not, I don't know.

3 INV. WECHTER: [Unintelligible] that night he was
4 depressed about, the woman breaking up with him? And then
5 someone had seen, one of the homeless had seen him stabbing
6 trees nearby with a knife?

7 [REDACTED]: You know, who knows what their relationship was
8 like. That girl was in and out of his life one year.

9 INV. WECHTER: I know, but it's just that he named some
10 woman he had broken up with.

11 [REDACTED]: You know, I would have to ask his [REDACTED] if
12 there was any other girls, but I'm almost certain there wasn't.
13 And if there was, it was just, you know, I really don't know.
14 You're reaching for stuff that I don't know at that point, and
15 there's only one. And the time that I know him, like I said,
16 that one girl, in and out, about a year, and it was all at the
17 time when he was getting evicted.

18 INV. WECHTER: Do you have contact information for his

19 [REDACTED]
20 [REDACTED]: Yeah. I have all their information, but I was
21 supposed to get, talk to him prior to [unintelligible], yeah.
22 Yeah.

23 INV. WECHTER: Well, let me give you my information, if
24 you can have someone call me?

25 [REDACTED]: Well, I don't have any pen or paper. You had
26 given me your card. I actually handed it over to them, so that
27 they could...you know, they're probably not going to go into
28 depth, as far as his alcohol or drugs I'm sure. I mean, [if you

1 repeat] that you got this from me, other than...definitely, they
2 probably won't mention any of this stuff, because it's kind of
3 like a private...

4 INV. WECHTER: All right. I'm just trying to find out as
5 much as I can, and when the autopsy report comes out, that will
6 indicate if there was any alcohol or drugs in his system.

7 [REDACTED]: Correct.

8 INV. WECHTER: But that will take a while, and again, we
9 want to move forward with our investigation, and we don't want
10 to have any surprises, so [inaudible].

11 [REDACTED]: Well...

12 INV. WECHTER: We're not saying it's good or bad.

13 [REDACTED]: Right.

14 INV. WECHTER: Whether someone used alcohol or drugs.

15 [REDACTED]: Exactly.

16 INV. WECHTER: [Unintelligible.]

17 [REDACTED]: I just want you to get this straight though. He
18 was very strong minded.

19 INV. WECHTER: And had you ever seen him with a knife?
20 Hello?

21 [REDACTED]: Yeah. Did I see the knife? Yeah. Yeah.

22 INV. WECHTER: Where did [he keep it]?

23 [REDACTED]: It was just sitting in his tent. All the
24 homeless people have a knife, because they live on the street.
25 It's just for their own personal protection. Did he ever wave it
26 around or hold onto it? No. It was just sitting there with all
27 the other crap that he had inside of his tent. Was it something
28 something that he played with? Absolutely not. He was not one to

1 | like run around with a bunch of knives and stuff. I mean that
2 | was just living on the street, every man for themselves-kind of
3 | deal. But to say that he would even attempt to go at a cop? I
4 | know that's just, you know, BS. He would have never have done
5 | what the police officer said he was doing; absolutely not. Not
6 | [at knife point], no, and do I believe that? Do you have the
7 | time for me to answer?

8 | INV. WECHTER: Yeah. Okay. I actually need to go,
9 | because I have another appointment. I might need to call [them
10 | back]. Can I get your address?

11 | [REDACTED]: One more second.

12 | INV. WECHTER: Sure.

13 | [REDACTED]: Can you give me your name and number?

14 | INV. WECHTER: Sure. It's Jay Wechter.

15 | [REDACTED]: Jay, and spell your last name.

16 | INV. WECHTER: W-e-c-h-t-e-r.

17 | [REDACTED]: And telephone number?

18 | INV. WECHTER: 415.

19 | [REDACTED]: Okay.

20 | INV. WECHTER: 241.

21 | [REDACTED]: Okay.

22 | INV. WECHTER: 7711.

23 | [REDACTED]: Okay. And what do you want from me?

24 | INV. WECHTER: Yeah, just your address.

25 | [REDACTED]: Yeah, [REDACTED]

26 | [REDACTED] Yeah, but I just want to say
27 | one last thing. Like no, he hadn't lost his mind yet. Maybe, if
28 | you're on the street for three years, maybe there is some

1 depression coming in. I'm sure there's a lot of mental things.
2 But his mind was intact. He was still [unintelligible], man. And
3 do I think he had a complete change of character, and he was
4 losing his mind, and he was going to go after the cop? No,
5 that's out. Yeah, no, not even a second. No. Okay?

6 INV. WECHTER: Okay.

7 [REDACTED]: Okay?

8 INV. WECHTER: I really appreciate you taking the time to
9 talk to with me, Mr. Castro.

10 [REDACTED]: Yeah. You take care, sir.

11 INV. WECHTER: Okay. You have a good day. Bye-bye.

12 [REDACTED]: All right. Bye-bye.

13 INV. WECHTER: This interview is concluded [inaudible].

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